

Revenue (1936) Department.

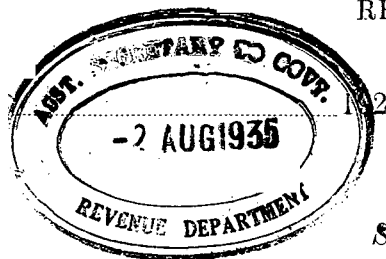
SERIES.

G. O. No

DATED

27-1-36

Revenue DEPARTMENT.



RRENT No. 782 A

Registered 2-8-35 192

Subject.

Embezzlement (Bellary) - Bellary taluk - Kuntanahal
village - Land Revenue collections - headman-Report.

Rev. Deph

To A.S.

Submitted for perusal.
The further report may be
awaited.

ENCLOSURES.

No.....

Reference No. C. 5619-35-1

Spare copies.....

Station Madras, Dated the 30th July 1935 xxx.

From

A.R.C. Westlake Esq., I.C.S.

Secretary

Land Revenue. and

~~The~~ Board of Revenue, ~~Revenue~~ Settlement, ~~at~~

~~Secretary~~

~~Resolution~~

A.H.A. Todd Esq., I.C.S.,
Commissioner of Land Revenue

~~Reference~~

Read the following:-

Letter from T. Bhaskara Rao Esq., I.C.S., Collector of
Bellary No. R.C. 3748/35 dated 24th July 1935.

Reference

The Board awaits the Collector's further report on
the subject.

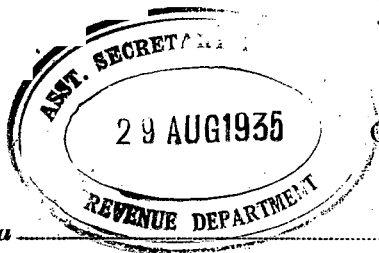
(11) *B. V. S. S. S.*
Secretary.

To the Collector of Bellary
To the Secretary to Government, Revenue Department
Copy to the Accountant-General (T.M. Section)

Letter from T. Bhaskara Rao Esq., I.C.S., Collector of Bellary No. R.C. 3748/35 dated 24th July 1935.

Land Revenue Collections - embezzlement - Bellary taluk - Kuntanahal village - by headman Sangana Gowd : report submitted.

The Tahsildar, Bellary has reported that the headman of Kuntanahal collected land revenue of Rs. 223-2-4 for Fasli 1344, issuing receipts to the ryots and embezzled it. Out of this he remitted Rs. 175/- into the Treasury on 26-6-1935 and has still to pay Rs. 48-2-4. The Tahsildar has made preliminary enquiry and placed the matter in the hands of the police for further investigation and laying of a charge sheet against the headman. No departmental action appears to have been taken as yet against the headman in connection with the embezzlement. I am now asking the Revenue Divisional Officer to take immediate action against the headman departmentally. The result of the action taken will be reported to the Board in due course.



Revenue DEPARTMENT

CURRENT No.

Rev. No. 880.A
29-8-35

Received

19

Registered

Subject.

Embezzlement -(Bellary)- Bellary Taluk- Kuntanahal Village- Land

Revenue collections- Headman- Criminal and departmental

R. 1-6-35 action - Report called for-
R. 1-11-35. R. 11-35. R. 11-35. Submitted for perusal.
The further report is awaited

Refce. C. No. 5619-35-2.

Station Madras. Dated the 27th August 1935.

From

A.R.C. Westlake Esq., I.C.S.,
Secretary.

Land Revenue.

The Board of Revenue, Revenue Settlement, etc.
Separate Revenue.

A.H.A. Todd Esq., I.C.S., Commr. of Land Revenue.
Resolution

Reference.

Read:-

Board's refce. C.No. 5619-35-1 dated 30-7-35.

ii.

Letter from T. Bhaskara Rao Esq., I.C.S., Collector
of Bellary, Ref. C.No. 3748/35 dated 17-8-35.

Reference:-

The Collector's further report referred to in para 2
of his letter read above is awaited.

2. His attention is invited to his R.C. 3748-35
dated 24-7-35 and he is requested to report the result of

of the criminal action taken against the headman.

Amendttane
S e c r e t a r y.

To the Collector of Bellary.

Copy to the Secretary to Government, Revenue Dept.

" to the accountant-General (T.M. Section)

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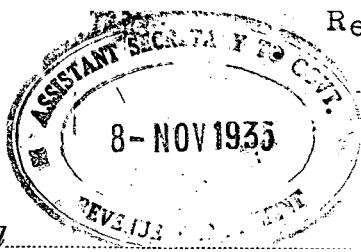
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und

Letter from T. Bhaskara Rao Esq., I.C.S., Collector of Bellary,
Ref.C. No. 3748/35 dated 17-8-35:-

Board's refce: C.No.5619/35-1 dated 30-7-35.

The balance of Rs. 48-2-4 due from the Headman out of the
embezzled amount has since been recovered from him and credited
to the treasury on 3-8-35.

3. The result of the departmental enquiry will be re-
ported to the Board in due course-



Revenue

DEPARTMENT.

CURRENT No.

Received

Registered *6.11.35*

19

Subject.

Embezzlement - (Bellary) - Bellary taluk -
village - L.R. collections - Headman - Further rep

Westlake Esq., I.C.S.,
Secretary,

Land Revenue. and

The Board of Revenue, Revenue Settlement, etc

Separate Revenue.

E.F. Thomas, Esq., C.S.I., C.I.E., I.C.S.,

Resolution

Commissioner of Land Revenue.

Reference.

Read the following:-

Board's Reference No. C.5619/35-2, dated 27-8-1935.

II.

Letter from T. Bhaskara Rao Esq., I.C.S., Collector of
Bellary, Ref. C.No. 3748/35-A-5, dated 25-10-1935.

REFERENCE:

The collector is informed that depa
and criminal action should be taken together as far as
possible. He is requested to report why the prosecution of
the headman should await the expiry of the appeal time in
respect of the departmental action taken.

Srinivasan
for Secretary. *7/11*

✓ To the Collector of Bellary.
✓ To the Secretary to Government, Rev. Department

P.t.o.

Copy to the Accountant-General (T.M. Section)

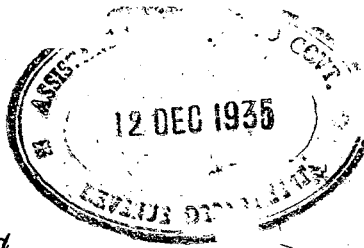
s.s./7-11-35. ^{uncl}
clg T-U

Copy of letter from T. Bhaskara Rao Esq., I.C.S.,
Collector of Bellary, Ref. C.No. 3748/35-A-5, dated 25th
October 1935.-

Embezzlement - Bellary taluk - Kuntanahal village -
L.R. collections - Headman - Criminal and departmental
action - report - submitted.

Ref.- Board's Ref. C.No. 5619/35-2, dated 27th August
1935.

The Revenue Divisional Officer, Bellary has in his R.Dis.
2850/35, dated 16th October 1935, dismissed the headman.
After the appeal time is over, the question of prosecuting
him criminally will be considered and the result reported.



Revenue DEPARTMENT

CURRENT No.

Received.....19

Registered.....12 1230 19

To AS
Submd. for perusal.
The further report
may be awaited.
Otk
18.12.35

Subject.

Embezzlement - (Bellary) - Bellary Taluk - Kuntanhal
village - Land Revenue collections - Headman - Depart-
mental and Criminal action - Institution - Procedure.

ENCLOSURES.

No.....

Ref.C. No. 5619/35-4

Spare co.

Station... Madras....., Dated the 9-12-35.

From A.R.C. Westlake Esq. I.C.S.,
Secretary.

Land Revenue.
The Board of Revenue, Revenue Settlement, etc
Separate Revenue.

Resolution
Reference.

E.F.Thomas Esq., C.S.I., C.I.E., I.C.S.,
Commissioner of Land Revenue.

Read the following

Letter from T.Bhaskara Rao Esq.. I.C.S.. Collector
of Bellary, Ref.C.No.3748/35, dated 20th
November 1935.

Reference.

In the circumstances reported, the Board agrees
with the Collector that the further prosecution of the
Criminal proceedings may be kept in abeyance till the

revenue appeal preferred by the headman is disposed of
by him

2. The Board observes that the Tahsildar reported the
matter to the police before making any departmental
enquiry contrary to the instructions in B.P. 1701 dated
6-6-32. This was apparently done to make the headman
to pay up the amount misappropriated by him.

3. The Board awaits the Collector's further report
on the result of the village headman's appeal and of the
Criminal proceedings, if any, instituted against him.

S. M. Rao
for Secretary. *42*

To the Collector of Bellary,
To the Secretary to Government, Revenue Department, *¶* with a copy
To the Accountant General (T.M. Section). *¶* of B.P.No.1701
dated 6-6-32.

B.M.N. 10/12

mks
10/12

Copy of letter from T. Bhaskara Rao Esq., I.C.S.,
Collector of Bellary, Ref. C.No.3748/35 dated 20th November
1935, to the Secretary to the Commissioners, Land Revenue &
Settlement, Madras.

Embezzlement - Bellary Taluk - Kuntanahal village -
L.R. collections - Headman - Further report - submitted.
2. Board's C.No.5619/35 - 3 dated 6-11-35.

In this office report R.C. No.3748/35 dated 24-7-35,
I informed the Board that the Tahsildar had reported this case
to the Police. Thereupon, the Police filed a charge-sheet
before the Sub Divisional Magistrate, Bellary on 11-8-35.
The headman having fully paid the amount involved, the Revenue
Divisional Officer, Bellary reported that the criminal
prosecution need not be pressed. He subsequently dismissed the
headman. From these circumstances and the instructions in
the B.P. referred to in the following paragraph. I consider
that the further prosecution of the criminal proceedings
may properly be in abeyance until the revenue appeal of the
headman has been disposed ~~of~~ by me. I regret that my report
dated 25-10-35 did not make the above point clear.

2. In regard to dealing with village officers for embezzle-
ment of Government money, the instructions in B.P. Mis.
No.1701 dated 6-6-32 are that Revenue officers should take
up departmental enquiry with a view to exercise the statutory
powers vested in them under Madras Act II of 1894 and Act III
of 1895 and that when the Collector or the Revenue Divisional
Officer is satisfied that the dismissal of a village officer
is not adequate he may in the public interest order criminal
prosecution in addition to the punishment inflicted depart-
mentally. In the penultimate sentence of the same B.P.

the

the policy of the Government is indicated to the extent that criminal proceedings may be instituted at once on the detection of embezzlement in rare cases in which the village officers abscond, having embezzled large sums of money. The foregoing instructions imply that criminal prosecution should succeed departmental action for the former action is to be taken after a Revenue court has finished the enquiry and passed an order of dismissal or other order. Until the enquiry is complete, the Revenue Divisional Officer will not be in a position to decide the punishment he should inflict. In this case, the Revenue Divisional Officer started with the criminal prosecution first and followed it up by departmental action. As this procedure was not in accordance with the instructions in the B.P. I considered that criminal prosecution should wait till the revenue appeal was disposed of by me. It does not appear that the above B.P. has been superseded.

3. The intention of the B.P. appears to me to be that village officers need not be harassed ordinarily with criminal prosecution. The Revenue Divisional Officer has dismissed the headman and has recommended the withdrawal of the criminal prosecution. If I decide to confirm the dismissal in appeal after hearing the case, I think the criminal prosecution need not be pursued, the amount involved not being large

Proceedings of the Board of Révenue, Land Revenue and
Settlement, Madras.

C.F. Brackenbury Esq., I.C.S., Commissioner of Land Revenue.

Miscellaneous No.1701, dated 6th June 1932.

Resolution.

Misappropriation - Village Officers - Departmental action -
General instructions - Issue...

The Board has recently had occasion to notice cases of misappropriation by village officers in which departmental punishment was postponed pending the result of the criminal prosecution of the village officer concerned. This is contrary to the intention of Acts II of 1894 and III of 1895 which invest Revenue Officers with power, after enquiry, to suspend, dismiss or remove village officers for sufficient cause. A departmental enquiry is not complete without an order punishing or exonerating the accused and should not be left open at this stage pending trial and judgment by a criminal court. The Board cannot deprecate too strongly any tendency on the part of Revenue Officers to shift to law courts their own statutory responsibility for punishing village officers whenever necessary. Criminal prosecution is not a substitute for departmental action but may be ordered in addition thereto when the Collector or the Revenue Divisional Officer is satisfied that the dismissal of a village officer is not sufficiently deterrent and that prosecution is necessary in the public interest. It may very rarely be necessary, e.g., if a village officer has absconded with a large sum of money, to institute criminal proceedings at once and to await his conviction before passing orders of dismissal, meanwhile keeping him under suspension. But departmental action should ordinarily be complete in itself and independent of any subsequent criminal proceedings.

Collectors

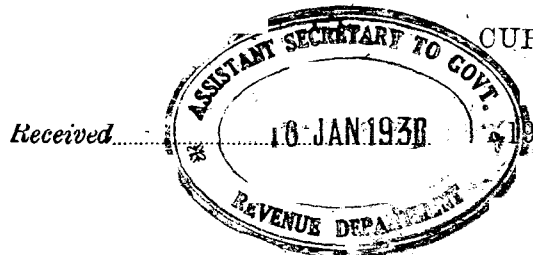
Collectors are requested to see that these instructions
are strictly followed in future.

(True extract,

Sd. A. Jagannadha Rao,
Assistant Secretary.

To the Collectors of all District.

DEPARTMENT.



CURRENT No.

Embezzlement -(Bellary)- Bellary Taluk - Kuntanahal village
Land Revenue collections - Headman - Departmental and
Criminal action - Institution - Procedure - Correspondence
Recorded

ENCLOSURES.

No.....

Route No. 81/36

Spare copies.....

Station M a d r a s Dated the 7th January 1936 .

From A.R.C. Westlake, Esquire, I.C.S.,

S e c r e t -
Land Revenue.

The Board of Revenue, Revenue Settlement, etc.

The Hon'ble Mr. E. F. Thomas, C.S.I., C.I.E., I.C.S.,
Commissioner of Land Revenue.

Ref. No. 3748/35

Reference

Read the following

I
Board's reference C.5619/35-4 dated 9-12-35.

Letter from T. Bhaskara Rao Esquire, I.C.S., Collector of
Bellary, Ref. C.No. 3748/35 dated 18th December 1935

Resolution:

Recorded.

2. In the circumstances reported, the Board agrees

with the Collector that the criminal prosecution of the

/True Extract/

N. Srinivasan

For Secretary.

To The Collector of Bellary.

✓,, Secretary to Government, Revenue Department.

Copy to the Accountant General, (T.M.)

Letter from T. Bhaskara Rao Esquire, I.C.S.,
Collector of Bellary, Ref.C.3748/35 dated 18th December
1935.

Embezzlement - Bellary Taluk - Kuntanahal village
Headman - Departmental action - Result - Reported

Ref: Board's C.No.5619/35-4 dated 9-12-35.

I dismissed the appeal of the headman against the
order of dismissal passed by the Revenue Divisional
Officer, Bellary.

2. In view of the circumstances reported in paragraph 3
of my Ref.C.No.3748/35 dated 20-11-35, I consider that
the criminal prosecution of the headman need not be
pursued. If the Board considers it necessary, I shall
have the criminal proceedings kept in abeyance until the
limitation for a second appeal to the Board has lapsed.
I await the Board's instructions.

Embezzlement. (Bellary). Bellary TK.
Kuntalahall Village. Land Revenue
Collections. Headman. Report

From the Bd of Rev. C. 5618-35-1 dt 30.7.35

C. 5618-35-2 dt 27.8.35

C. 5618-35-3 dt 6.11.35

C. 5618-35-6 dt 5.12.35

R. 81/36 dt 7-1-36

The file relates to the
misappropriation by the village
headman of Kuntalahall Bellary
Taluk Bellary Dt., of
Rs 223-2-4 being the Canoe
revenue collections. The total
amount embezzled has been
recovered from the headman

The headman has been dismissed
from service as a result of the
departmental action taken against
him. The appeal preferred by the
headman against the order of
dismissal by the R.D.O. has
been dismissed by the Collector
The Collector considers that
the criminal prosecution of

The headman need not be furnished
~~as the amount involved is such~~
~~large~~ The Board agrees with the
Collector for orders whether
the papers may be recorded
if so, ie draft order below
is for approval. It may be
sent to Finance for acceptance.

Para 2 of
HP 13-14 of

